

PROCEDURE FOR FILING A COMPLAINT

A. Guiding Principles

In this policy, the terms, “*complaint*,” and “*grievance*” shall have the same meaning.

In this policy, the terms, “*response*” and “*reply*” shall mean written, documentable, communication between the complainant and Teach Us Texas (TUTX) Directors. All written communication regarding concerns/complaints must occur via electronic mail (e-mail) or as described herein. Verbal or non-documented communication (e.g. anonymous handwritten notes or anonymous email) is unacceptable.

In this policy the terms “*complainant*,” “*individual*” and “*concerned party*” all refer to the person who seeks clarification or resolution and submits written notification of a concern/complaint to the appropriate department TUTX Director (e.g., Academics, Clinical Practice, Compliance, Enrollment, Test Preparation, etc.). The following individuals may submit a complaint about an EPP for investigation and resolution: a candidate, former candidate, an applicant, employee or former employee, cooperating or mentor teacher, site supervisor, or administrator in a public (school district or charter school), or private school that serves as a site for clinical teaching or internship. Complaints must be filed by the complainant and cannot be submitted by another individual on behalf of the complainant.

TUTX Directors or designated representative (designee) will reply and respond to questions, concerns and complaints via electronic mail (e-mail). All communication will be emailed to the most current e-mail address provided by the individual. If the individual changes any of the contact information (i.e., e-mail address), it is the sole responsibility of the individual to update TUTX Director or designee of any changes.

In calculating timelines, “days,” shall mean program business days. The day TUTX Directors e-mail a confirmation receipt of communication or submission of a document or form is considered “day zero.” All deadlines shall be determined by counting the following program business day as “day one.”

Throughout the informal and formal complaint processes, decisions will be based upon state and program requirements as well as written documents (e.g., TUTX policies). TUTX Directors or designee will refer to all state requirements set forth by State Board for Educator Certification (SBEC) and Texas Education Agency (TEA) as well as program requirements and information delineated in various TUTX handbook, course syllabi, and written information from all contracts, forms, agreements, and documents. TUTX policies and procedures are subject to change; thus, the most current policy/procedure will be used.

Teach Us Texas

All administrators, mentor teachers/cooperating teachers, TUTX field-supervisors, interns or clinical teachers will refer to state requirements as well as program requirements delineated in various forms, documents, and TUTX manuals. If the complainant is an applicant, all state and program requirements for admission criteria will be used as reference to address questions and concerns.

B. General Provisions

Multiple complaints arising out of an event or a series of related events shall be addressed in one complaint. Complainants shall not bring separate or serial complaints arising from any event or series of events that have been or could have been addressed in a previous complaint.

When two or more complaints are sufficiently similar in nature, TUTX Directors or designee will address the complaints as a complaint cluster and consolidate them. A remedy will be sought to permit the complaints' resolution through one proceeding.

Audio-recording

At least (3) program business days prior to any conversation and/or scheduled meeting, the individual must inform TUTX Directors or designee of his/her intent to video and/or audio record the entire or partial discussion(s) via email. Acceptable modes of informing TUTX Directors or designee of the individual's intent to video/and/or audio record are limited to written notification via e-mail. Additionally, prior to the beginning of a meeting, the individual is required to submit a handwritten note informing all the attendees present during the meeting that the discussion will be video and/or audio recorded. If the individual uses any part of the video and/or audio recording to support any informal or formal complaint, the complainant is required to adhere to, abide by and comply with the following guidelines:

Prior to submitting any part of the discussion from the video/audio recording, the individual must submit an unadulterated and complete copy of the original recording and an accurate transcription of said audio recording to all parties involved. Additionally, the complainant is required to include a notarized signature page with the credentials and signature of the transcriber as well as the complainant's signature attesting to the accuracy of the transcription.

C. Untimely Filings

Throughout all stages of the informal and/or formal process the individual is required to adhere to all time limits, unless modified by mutual written consent. If at any point during the complaint process the individual fails to respond or reply to any written communication from TUTX Directors or designee on or before the established date, the complaint will be dismissed. If at any point during the complaint process the individual fails to submit any required forms or documents or fails to file a complaint form within the time limit specified, the complaint will be

dismissed. Even if the individual files forms on time but fails to accurately and/or successfully complete information on any forms and/or fails to submit all the required documents on or before the established date, the complaint will be dismissed.

In the event that the complaint is dismissed, TUTX Director will e-mail the individual notice of the dismissal. The complainant may request a review of the dismissal by e-mailing a request within three (3) program business days. The individual may only seek review of the dismissal at the level at which the informal or formal complaint was dismissed. Such request shall be limited to the issue of timeliness. The written request must include verifiable documentation which would fully substantiate why the individual lacked the capacity to meet the timeline required. After, TUTX Directors review the written request and determine if the documentation is verifiable and valid, the individual will be emailed within five (5) program business days with the final decision. Dismissing the complaint indicates that the matter has been resolved and cannot be resubmitted.

D. Cost Incurred

TUTX is not responsible for any costs incurred during the course of the complaint.

Informal Process Level One: Question/Concern

TUTX encourages all individuals to seek clarification and discuss their concerns. Questions and concerns must first be communicated directly to the appropriate TUTX Director via e-mail. In the event that the individual would like to schedule an informal meeting to seek information or ask a question, s/he is required to email TUTX Director and request to schedule a meeting. Individuals are required to abide by and comply with the following guidelines.

A. The first step requires that the concerned party submit his/her written question and/or concern to the appropriate TUTX Directors (e.g., Academics, Clinical Practice, Compliance, Enrollment, Test Preparation, etc.) via e-mail. TUTX Directors will reply with a confirmation that the question or concern was received. If, within two (2) program business days, the TUTX Director has not confirmed receipt of the communication then the concerned party is required to resend the communication. Within (5) program business days, TUTX Directors will respond to the question and/or concern via e-mail.

B. If the response to the individual's concern/question requires additional clarification, s/he can communicate to TUTX Directors via electronic mail and request additional information and/or schedule an informal meeting. In order to quickly and efficiently resolve the situation, the individual must request to schedule a meeting within 15 program business days from the date that s/he first emailed the question or concern. If a meeting is requested, TUTX Directors will

Teach Us Texas

send confirmation by replying to the e-mail message within (5) program business days with information for scheduling the meeting.

Throughout the informal process, TUTX Directors may determine the question/concern requires scheduling an informal face-to-face meeting with the individual. In the event that TUTX Directors request an informal meeting the individual will be contacted via electronic mail (unless the form of communication was agreed upon to be delivered solely through postal mail) within (5) business days of confirmation of receipt of the question/concern to schedule a mutually agreed upon meeting. The individual must send confirmation and reply to the request via e-mail within (3) program business days. Confirmation of the date(s) and time(s) of all meetings must be via e-mail. If the individual is more than 20 minutes late to the scheduled meeting, TUTX Directors may email the individual to reschedule the meeting. TUTX Directors require 24-hour advance notice, via e-mail, if there is a schedule conflict and the individual cannot make the scheduled meeting. TUTX Directors have the right to re-schedule. In the event that TUTX Directors need to reschedule, the individual will be emailed.

The individual is expected to attend the scheduled meeting prepared with specific questions/concerns. The individual must also bring all documentation addressing his/her concern/question; this may require downloading, printing and carefully reading all relevant TUTX forms, documents, assignments and manuals.

If the outcome of the meeting does not address the specified concern/question, the individual may continue to the next step of the informal process or request another face-to-face meeting. If the individual is still not satisfied with the decision and/or attempts at resolution presented at Level One, s/he may continue to Level Two and file an informal complaint. However, the concerned party must attempt to resolve his/her issue through all means available to him/her, including following the procedures in this document, before submitting a formal complaint to the Texas Education Agency.

Informal Process Level Two: Informal Complaint

If an individual does not receive the relief requested at Level One, then s/he may appeal the decision to the program's designated representative or designee. A designee is appointed at the sole discretion of TUTX Directors and provides a third-party perspective to the concern/complaint in question.

The individual is required to accurately and successfully complete and submit, through appropriate means, the TUTX written complaint form provided by TUTX Directors. This completed form must be submitted within seven (7) program business days after receipt of a response.

The designee shall inform the individual via e-mail of the date, time and location of the meeting. The individual is required to email the designee to lecia.eubanks@teachus.com and confirm that s/he received the e-mail and will be attending the scheduled meeting.

TUTX Directors shall provide the designee with copies of the completed TUTX complaint form, the response(s) at Level One, and all valid documentation previously submitted by the individual. The program's designee shall consider only those issues and documents presented at the preceding level and identified in the TUTX complaint form. The program's designee must provide written notice of the decision to the individual. TUTX Directors will retain information concerning the concern/complaint for a minimum of two (2) academic years.

After the individual has exhausted all attempts at the program level to resolve a complaint and has not received the relief sought, information on how to file a formal complaint with TEA can be secured from TUTX Directors. This information is posted on TUTX's website, or, upon written request, a printed copy will be provided. The cause of the complaint must have occurred within the current academic year. In the event that the cause of the complaint is due to changes in the rules, regulations, or laws, the individual is required to comply with any changes in state or program policies.

Level Three: Formal Complaint

TEA has jurisdiction to investigate allegations of noncompliance regarding specific laws and rules, generally related to state and federal requirements. Complaints may address educator preparation program requirements listed in Texas Administrative Code (TAC) Chapter 228. The official TEA complaint process can be found at <https://tea.texas.gov/texas-educators/preparation-and-continuing-education/complaints-against-educator-preparation-programs> The complaint process allows for an individual to seek redress.

All complaints filed with the TEA must be in writing. TEA does not accept complaints by phone or complaints that are submitted anonymously. A person or entity may file a written complaint with TEA by filling out the complaint form online or by mailing or faxing a hard copy to the address on the form.

To adequately review and address a complaint, TEA needs specific details and must be able to identify a clear violation of TAC. Not all complaints fall under the authority of TEA. TEA must determine whether the agency has authority to act upon the allegation.

An EPP may also file a complaint about the actions of other programs when it involves a candidate transferring into a program.

Complaints submissions should include the following:

Teach Us Texas

- The reasons the complainant believes the issues raised in his/her complaint are valid. The complainant should also indicate how s/he believes that TEA can assist with this matter. TEA cannot assist in understanding the contractual arrangement with the educator preparation program, arranging for a refund of monies paid, obtaining a higher grade or credit for coursework or training, or seeking reinstatement to an educator preparation program.
- Documentation supporting a claim must be available. Helpful documentation might include letters or e-mails exchanged between the parties.

Texas Education Agency staff will send confirmation of a complaint within 30 days of receiving the submission. Information the public sends to TEA by email may not be secure. Do not email sensitive information to TEA. The agency will remove confidential or sensitive information when replying by email. TEA will maintain confidentiality of information to the extent the law allows.

TEXAS ADMINISTRATIVE CODE §228